

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2020-259-C - ORDER NO. 2020-776
DECEMBER 18, 2020

IN RE: Petition of AT&T South Carolina)	ORDER REVERSING NANPA
Requesting the Commission's)	AND/OR THE POOLING
Intervention in Numbering Resources)	ADMINISTRATOR IN THE
Determinations in the Columbia Rate)	COLUMBIA RATE CENTER
Center - Midlands Technical College)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Petition of AT&T South Carolina (“AT&T” or “Company”) for review of the North American Numbering Plan Administrator (“NANPA”) and/or Neustar Pooling Administrator’s (“PA”) decision to deny the Company’s request for use of numbering resources in the 839 area code. As explained herein, the Commission grants the request of AT&T and directs NANPA and/or PA to approve AT&T’s request.

On or about October 19, 2020, AT&T submitted a Pooling Administration System request for the assignment of ten thousands-blocks (other than with a 666 NXX) in the Columbia rate center to integrate into the existing dialing plan of its customer Midlands Technical College. AT&T does not have the existing numbers to meet this customer’s request, and it will be unable to provide the telecommunications services that have been requested by its customer if the numbering request is denied. AT&T requested that a new code be opened, and that these numbers be assigned to it. AT&T completed the request within Industry Numbering Committee guidelines and provided the necessary months-to-

exhaust (“MTE”) Certification Worksheets. AT&T’s numbering resource requests were denied despite the fact that AT&T does not have adequate numbering resources needed to satisfy this customer’s demands in the Columbia Rate Center.

NANPA refused the request because AT&T does not meet the months to exhaust or utilization requirements of the Federal Communications Commission. 47 C.F.R. § 52.15(g)(4)(B)(iii); 47 C.F.R. § 52.15(h). Numbering determinations are made by the North American Numbering Plan Administrator (“NANPA”) and/or the Pooling Administrator (“PA”), depending on the nature of the numbering request. The FCC’s rules addressing these matters, however, generalize responsibilities of the NANPA and the PA under the heading “Central office code administration,”¹ and the FCC’s Orders addressing these matters allow for challenges of determinations by both entities.² Accordingly, this Petition addresses the determination described herein and asks the Commission to direct NANPA and/or the PA to provide the requested relief to the extent it is within the respective authority and responsibility of NANPA and/or the PA to do so.

The refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC’s position that “(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources.”³ However, under 47 C.F.R. § 52.15(g)(5), a “state commission... may overturn the NANPA’s decision to withhold

¹ See, e.g., 47 C.F.R. §52.15.

² See Third Report and Order and Second Order on Reconsideration in CC Docket No. 96- 98 and CC Docket No. 99-200, Numbering Resource Optimization; etc., 17 FCC Rcd 252, ¶61 (2001) (“Third NRO Order”)

³ Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99- 200, Numbering Resource Optimization, 16 FCC Rcd 306 at ¶61 (2000).

numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.”

We find and conclude that the Public Service Commission of South Carolina, as the regulator of the rates and service of telecommunications companies pursuant to S.C. Code Ann. § 58-9-200 et seq., is the state commission with authority to review a decision by NANPA/PA denying a request for numbering resources as allowed by 47 C.F.R. § 52.15(g)(5). Based on the information provided above, we further find and conclude that AT&T has demonstrated a verifiable need for the numbering resources. Last, since an appeal to this state Commission is the only means to affect its request, we find and conclude that AT&T has exhausted all available remedies.

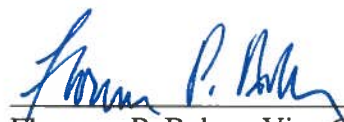
IT IS THEREFORE ORDERED:

Therefore, based on the foregoing, we hold that NANPA/PA is directed to approve AT&T’s request for the assignment of ten thousands-blocks (other than with a 666 NXX) in the Columbia rate center for its customer Midlands Technical College.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:





Florence P. Belser, Vice Chairman
Public Service Commission of
South Carolina